App. F. IX-4

Previous References

1940 (RA)

RA File No. 118-40

Serial Nos. 1 to 3

Later References.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos.

P 7 / 1-E 3

Part B for April 1941

SUBJECT.

Refund of deposits made by candidates for the RA in the Kolar District

Sl no 3 — From the Deputy Commissioner Kolar Dt. Letter no A3 C 2340/39 dated 27-3-41 states with ref to Sl no 2 that instructions had been issued on 14.3.1941 to refund the amount to the party who made the same

WD 0573—GPB—22,500—12-9-39

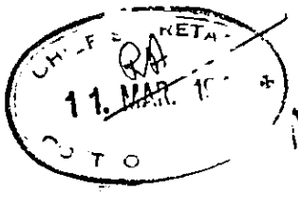
OFFICE 1778/41

RA 118-40-1

To

REPRESENTATIVE ASSEMBLY COUNCIL

The Chief Secretary to the Government of Mysore,



B A N G A L O R E.

Petitioner: T. Chendraiya, Son of Thimmappa,
Merchant, G O R I B I D N U R.

UNDER RULE 152 of THE REPRESENTATIVE ASSEMBLY RULES:

The Petitioner begs to state as follows:

1. On the 2nd and 3rd January 1941 this petitioner deposited Rs. 475/- for the security deposits of the following Candidates standing from the Rural Constituency of Goribidnur Taluk; The names of the candidates being Shris. R.P. Jwalanaiya, K.V. Hanumappa Reddy, N.R. Chikkanna and Chikkamuniyappa (D.C.).

2. On the 10th January 1941, the Returning Officer rejected the notices of candidature of all the persons above-named.

3. Inspite of repeated demands both in writing and oral the Returning Officer is refusing to return the deposits to the petitioner and has finally ~~granted~~ marked an endorsement on 6-3-41 a copy of which is herewith produced.

4. The Returning Officer is not entitled in law to

to refuse to return the deposits. Nor is he entitled to adjust the amount of deposits for the alleged dues of the candidates. Even according to the Returning Officer there is absolutely no justification to withhold the deposits on behalf of Chikkamuniyappa.

OFFICE OF THE
FIRST ASSISTANT OF COUNSEL
MAR 17 1941
No. 9213

The petitioner apprehends that the Returning Officer is not acting bona fide in this matter and his intention seems to be to harass me because I supported the cause of the Congress Candidates.

WHEREFORE the petitioner prays that you may be pleased to direct the Returning Officer to make the payment immediately and take such action as you may deem fit against the officer concerned.

Bangalore,
10th March, 1941.

T. Chandraiah
PETITIONER.

Please see copy of the Endorsement enclosed.
This is not a valid Set off & it was not correct on the part of the offical to have applied the amount towards the alleged arrears due by the candidates. The deposits may be ordered to be refunded to the party. It is open to the Amildar to take necessary steps under the Rev. Rules for the recovery of the arrears, if any.

2) A report may be called for from the Deputy Commissioner

Sub?
12.3.41

Law Secy)
I Member)

3)

12/3

14/3

21/3/41

24/3/41

16/3/41

12/3

24/3

H.C.P.R.

[illegible]

[illegible]

[illegible]

General and Revenue Secretariat
R. A. & L. C.

File No. 18 of 1940-41 (1778/41)

App F III-? 4

Serial No.

Submitted with a draft.

BVN.
25/3/41.

Legal
26.3.41.

2 To. The Deputy Commissioner, Kolar District.

No. RL. 3372/Nuclo. 2 Dated 26-3-1941.

Forwards for favour of report Copy of petition Dated 10-3-1941 from Mr. D. Chandraiya Son of Thimmaiya Merchant, Goribidanur together with the enclosures.

Fwd A
BVN
27/3

2 From. The Deputy Commissioner, Kolar District.

Letter No. A 3. C 2340/39-40 Dated 27-3-1941.

With reference to the above States that the Returning Officer has made a reference to the Deputy Commissioner for orders to adjust the Deposit amounts towards Land Revenue and Income tax arrears due by the Candidates & that instructions were issued on 14-3-1941 to refund the deposit to the person who made them & that no further action is necessary in the matter.

The Deputy Commissioner States that it has been ascertained that the deposits were refunded on the 18th March 1941. ~~It is for orders whether any further~~ No action seems is necessary.

BVN.
31-3-41

JMW 1/4

Law Secy.) For perusal

I Member) Hm 1/4/41. JMW 1/4

Hm 2/4/41

Hm 3/4/41 JMW 3/4

OFFICE OF THE FIRST MEMBER OF COUNCIL
APR 1 1941
No. 9942

NOTE—Contn. Sheet. 6/24 1/4

B JMW 4/4/41

OFFICE OF THE SECY.

Appendix F G–1]
R. A. & L. C.

5

SUBJECT

Section RA

File No. 18—40

Serial No. 2

No. RL 3372 dated 26th March 1941

To

The Deputy Commissioner, Kolar Dist

Sir,

I am directed to forward herewith for favour of an early report a Copy of petition dated 10-3-1941 from Mr. D. Chandraiya, Son of Thimmaiya, Merchant, Gowribidanur together with Post Office ~~respecting refund of~~ the deposit amount made by him on behalf of certain Candidates standing for election to the R.A. from Gowribidanur Rural Constituency, and that he proposes to attach the amount towards the arrears due from the candidates.

~~Concerned is forwarded to Govt with your opinion in the matter.~~

I have etc.

for Secretary to Govt

BVN 25/3/41

Diary No. of letter replied to

General and Revenue Secretariat
R. A. & L. C.

( )

Date of issue 26/3/41

Signed by Mr. M. K. Varadaraja

Stating that the Returning Officer, Gowribidanur Rural Constituency has withheld

List of enclosures

Copied by

Examined by

6

26th March 1941.

MU RL 3372
Encls Two

The Deputy Commissioner,
Kolar District,
Kolar.

I am directed to forward herewith for favour of an early report a copy of petition dated 10th March 1941 from Mr.T.Chandraiya, son of Thimmaiya, Merchant, Goribidnur, together with that of its enclosure, stating that the Returning Officer, Goribidnur, rural constituency has withheld the deposit amount made by him on behalf of certain candidates standing for election to the Representative Assembly from Goribidnur rural constituency and that he proposes to adjust the amount towards the arrears due from the candidates.

I have the honour to be,
Sir,
Your most obedient servant,

26/3
for Secretary to Government,
Law Department.

HKR/2.

1944/RE 7

Immediate.
No:A.3.C.2340/39-40.

Office of the Deputy Commissioner,
Kolar District,
Dated, Kolar, the 27th March 1941.

RA 118-40-3

From

G. Sundara Rao, Esq., B.A.,
Deputy Commissioner,
Kolar District,
Kolar.

To

H.V. Narayana Rao, Esq., B.A., LL.B.,
Secretary to Government of Mysore,
Law Department, B a n g a l o r e.

S i r,

With reference to your letter No:Rl.3372 dated 26th instant forwarding a copy of the petition of Mr. Chandraiya of Goribidnur re: the refund of deposit made by him on behalf of the candidates to the Representative Assembly in the recent Elections, I have the honour to state that the Returning Officer had made a reference to this Office for orders to adjust the deposit amounts towards Land Revenue and Income Tax arrears due by the Candidate and that instructions were issued on 14th March 1941 to refund the deposit to the person who made them. It is ascertained that the deposits were refunded on the 18th instant. In these circumstances no further action is necessary in the matter.

I have the honour to be,
S i r,
Your most obedient servant,

G Sundara Rao
27.3.41.
Deputy Commissioner,
Kolar District.

MVK.